

United States Court of Appeals for the Tenth Circuit  
OFFICE OF THE CLERK

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303)844-3157

Patrick J. Fisher, Jr.  
Clerk of Court

**FILED** Douglas E. Cressler  
Chief Deputy Clerk  
UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

DEC 13 2004

December 10, 2004

CLERK

Mr. Matthew J. Dykman  
Clerk  
United States District Court for the District of New Mexico  
333 Lomas NW, Suite 270  
Albuquerque, NM 87102-2242

Re: 02-2323, O Centro Espirita v. Ashcroft  
Dist/Ag docket: CIV-00-1647 JP/RLP,

Dear Counsel:

Enclosed for the clerk of the trial court or the named agency, is a certified copy of an order entered today. The trial court has not yet returned the recalled mandate with the opinion and judgment filed in this case. See Fed. R. App. P. 41(a). The trial court is requested to retain the opinion and file it in the records of your court.

The clerk of the district court is requested to acknowledge receipt of this mandate by file stamping and returning the enclosed copy of this letter. Any original record will be returned to you at a later date.

Please contact this office if you have questions.

Sincerely,

PATRICK FISHER  
Clerk

By:   
Deputy Clerk

PF:na

cc:

John W. Boyd  
Nancy Hollander  
David C. Iglesias, U.S. Attorney  
Raymond Hamilton, Asst. U.S. Attorney  
Vincent M. Garvey  
Elizabeth Goitein

Michael Jay Singer  
Matthew M. Collette  
Gregory G. Katsas  
Gregory S. Baylor  
Nathan A. Adams  
Kimberlee W. Colby

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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O CENTRO ESPIRITA BENEFICIENTE UNIAO DO VEGETAL, also known as Uniao do Vegetal (USA), Inc., a New Mexico corporation on its own behalf and on behalf of all its members in the United States; JEFFREY BRONFMAN, individually and as President of UDV-USA; DANIEL TUCKER, individually and as Vice-President of UDV-USA; CHRISTINA BARRETO, individually and as Secretary of UDV-USA; FERNANDO BARRETO, individually and as Treasurer of UDV-USA; CHRISTINE BERMAN; MITCHEL BERMAN; JUSSARA DE ALMEIDA DIAS, also known as Jussara Almeida Dias; PATRICIA DOMINGO; DAVID LENDERTS; DAVID MARTIN; MARIA EUGENIA PELAEZ; BRYAN REA; DON ST. JOHN; CARMEN TUCKER; SOLAR LAW, individually and as members of UDV-USA,

Plaintiffs - Appellees,

v.

JOHN ASHCROFT, Attorney General of the United States; ASA HUTCHINSON, Administrator of the United States Drug Enforcement Administration; PAUL H. O'NEILL, Secretary of the Department of Treasury of the United States; DAVID C. IGLESIAS, United States Attorney for the District of New Mexico; DAVID F. FRY, Resident Special Agent in Charge of

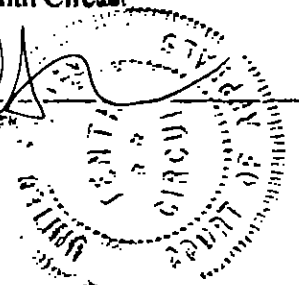
A true copy

Teste

Patrick Fisher  
Clerk, U. S. Court of  
Appeals Tenth Circuit

By

Deputy Clerk



No. 02-2323

(D.C. No. CIV-00-1647 JP/RLP)

the United States Customs Service Office  
of Criminal Investigation in Albuquerque,  
New Mexico; all in their official  
capacities,

Defendants - Appellants,

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CHRISTIAN LEGAL SOCIETY; THE  
NATIONAL ASSOCIATION OF THE  
EVANGELICALS; CLIFTON  
KIRKPATRICK, as the Stated Clerk of  
the General Assembly of the Presbyterian  
Church (U.S.A.); QUEENS  
FEDERATION OF CHURCHES,

Amicus Curiae.

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ORDER

Filed December 10, 2004

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On December 2, 2004, pursuant to Justice Breyer's order of December 1, 2004,  
this court recalled the mandate. The full court has now denied the stay and vacated the  
temporary stay. The mandate shall reissue forthwith.

Entered for the Court  
PATRICK FISHER, Clerk of Court

by:   
Deputy Clerk